

Appl. No. 10/821,715
Amdt. dated January 23, 2008
Reply to Office Action of October 23, 2007

REMARKS/ARGUMENTS

Introduction:

Claims 1-25 were previously canceled. Claims 26 and 27 are amended. Claim 28 has been canceled in this amendment, being drawn to a non-elected species. New claims 29-35 have been added. Claims 26-27 and 29-35 are now pending in the application. Applicants respectfully request reexamination and reconsideration of the application.

Rejections under 35 U.S.C. § 102:

Claims 26-27 stand rejected as anticipated by Swapp (U.S. Patent No. 5,172,050). Applicants respectfully traverse the rejection as Swapp fails to teach or suggest all of the claimed features.

Claim 26 recites "fabricating a plurality of spring contact elements directly upon *the first electronic component*, . . . at least one of the plurality of spring contact elements *being a different size* than others of the plurality of spring contact elements." The PTO equated Swapp's electrodes 13 and tips 19 with the spring contact elements of different sizes recited in claim 26. As can be seen in the drawings of Swapp, however, tips 19 are attached to probe card 16 and electrodes 13 are attached to substrate 12. Tips 19 and electrodes 13 are therefore not attached "directly" to a "first electronic component." Nor is there a logical reason to modify Swapp such that electrodes 13 and tips 19 are both attached to substrate 12 or both attached to probe card 16. In fact, such a modification would destroy the purpose of Swapp, which is to test substrate 12 using probe card 16. For at least the forgoing reasons, claim 26 is not only novel over Swapp but is also not obvious in view of Swapp.

Moreover, Swapp's electrode 13 is not a spring contact element and is thus structurally different than the spring contact elements recited in claim 26. For at least this additional reason, claim 26 is patentable over Swapp.

New Claims

New claims 29-35 are dependent from claim 26 and are also allowable for at least all of the above cited reasons. Moreover, claims 29-35 recite additional features not taught or rendered obvious by Swapp. For example, claim 29 recites "wherein the plurality of spring contact elements each have an elongate structure and the at least one of the plurality of spring contact

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elements has a different length than the others of the plurality of spring contact elements," which is not taught or rendered obvious by Swapp. This and other features recited in claims 30-35 further distinguish over Swapp.

Conclusion:

In view of the foregoing, Applicants submit that all of the claims are allowable and the application is in condition for allowance. If at any time the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned or Ken Burraston at (801) 426-2100.

Respectfully submitted,

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